

PHARMACY BOARD[657]

Adopted and Filed

**Rule making related to licensing sanctions regarding
student loan debt or related service obligations**

The Board of Pharmacy hereby rescinds Chapter 31, “Student Loan Default or Noncompliance with Agreement for Payment of Obligation,” and amends Chapter 36, “Discipline,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in 2019 Iowa Acts, Senate File 304.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2019 Iowa Acts, Senate File 304.

Purpose and Summary

During the 2019 Legislative Session, changes were made to the Iowa Code which resulted in the repeal of Iowa Code sections 261.121 through 261.127, on July 1, 2019, and prohibited the suspension or revocation of a license issued by a board to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency. This rule making implements the legislative changes.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on June 5, 2019, as **ARC 4484C**. The Board received one comment in support of the amendments. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on July 10, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s

meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on September 4, 2019.

The following rule-making actions are adopted:

- ITEM 1. Rescind and reserve **657—Chapter 31**.
- ITEM 2. Rescind subrule **36.6(25)**.
- ITEM 3. Renumber subrules **36.6(26)** to **36.6(44)** as **36.6(25)** to **36.6(43)**.
- ITEM 4. Adopt the following new rule 657—36.11(88GA,SF304):

657—36.11(88GA,SF304) Prohibited grounds for discipline. The board shall not suspend or revoke the license of a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

[Filed 7/10/19, effective 9/4/19]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 7/31/19.